

REVISED TO ADD ADDENDUM ITEM #34

CITY COUNCIL

CITY OF WICHITA

KANSAS

City Council Meeting
April 15, 2003, 9:00 A.M.

City Hall
455 North Main

ORDER OF BUSINESS

- Call to Order
 - Invocation
 - Pledge of Allegiance
 - Approve the minutes of the previous meeting
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AWARDS AND PRESENTATIONS

- Certificates of Completion – MiniMPA Executive Development Seminar
 - Proclamations
-

PUBLIC AGENDA

1. Timothy Gruver – Tallgrass Film Festival.
 2. Mary Dean – Boeing Company Industrial Revenue Bonds (1985 to 2001).
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UNFINISHED BUSINESS

3. Enterprise Rent A Car and Thrifty Rental Car of Wichita.
(Continued from April 1, 2003)

RECOMMENDED ACTION: Approve Agreements; authorize
necessary signatures.

NEW BUSINESS

4. Public Hearing and Request for Letter of Intent for Industrial Revenue Bonds - Premier Beverage, Inc.
(District IV)

Premier Beverage, Inc., requests issuance of a one-year Letter of Intent for Industrial Revenue Bonds in an amount not to exceed \$3.325 million; and a 100 percent five-year tax exemption on bond-financed property, and a second five-year exemption upon City Council approval.

RECOMMENDED ACTION: Close the public Hearing; approve the Letter

of Intent; authorize the necessary signatures.

5. Public Hearing on the Establishment of a Redevelopment District – Tax Increment Financing – for the Kellogg/Oliver Area. (District II)

The property owner proposes to construct a commercial development project and has requested tax increment financing assistance.

RECOMMENDED ACTION: Close the public hearing; approve first reading of the Ordinance.

6. Public Hearing for MRV, Inc. Resolution of Support for Low-Income Housing Tax Credit Application. (District V)

MRV, Inc., requests a Resolution of Support in connection with an application for Low-Income Housing Tax Credits to be submitted to the State of Kansas.

RECOMMENDED ACTION: Close the public hearing; adopt the Resolution.

(9:30 a.m., or soon thereafter)

7. Repair or Removal of Dangerous and Unsafe Structures.

The City Council adopted Resolutions providing for a public hearing on the following properties:

	<u>Property Address</u>	<u>Council District</u>
a)	1946 South Everett	IV
b)	523 North Matthewson	I
c)	1340 North Washington	I
d)	326 West Morris	I
e)	3151 South Yale	III

RECOMMENDED ACTION: Close the public hearing; adopt the Resolutions.

8. Solid Waste Code Revision.

The proposed revisions address changes in local solid-waste planning, current enforcement needs, and hauler license fee adjustment.

RECOMMENDED ACTION: Approve first reading of the Ordinance.

9. Chamber of Commerce Contract.

The Wichita Area Chamber of Commerce is requesting funding for part of business development, research support, and community marketing activities.

RECOMMENDED ACTION: Approve the Contract; authorize the necessary signatures.

CITY COUNCIL AGENDA

10. Board Appointments.

RECOMMENDED ACTION: Make the appointments.

CONSENT AGENDA

11. Report of the Board of Bids and Contracts Dated April 14, 2003.

RECOMMENDED ACTION: Receive and file report; approve Contracts;
authorize necessary signatures.

12. Applications for Licenses to Retail Cereal Malt Beverages:

<u>Renewal</u>	<u>2003</u>	<u>(Consumption on Premises)</u>
Ricky D. Morey	Morey's Deli & Keno*	3316 South Broadway
<u>New Operator</u>	<u>2003</u>	<u>(Consumption on Premises)</u>
Jose L. Mejia	El Jalisco Restaurant*	627 East 47 th Street South
Sam Chitalad	Darla BBQ & Thia Cuisine*	8710 West Central
<u>New Operator</u>	<u>2003</u>	<u>(Consumption off Premises)</u>
Jayesthakumer Patel	Shiva LLC	223 East 21 st Street North
Jayesthakumer Patel	Shiva LLC	1826 West 13 th Street North

*General/Restaurant - 50% or more of gross receipts derived from sale of food.

RECOMMENDED ACTION: Approve licenses subject to Staff review and approval.

13. Preliminary Estimates:

- a.) 2002-2003 CDBG street, curb, gutter and sidewalk improvements (asphalt mill & overlay and street repairs - north of 8th Street North, east of Arkansas. (472-83728/602410/132714/620369/) Traffic to be maintained during construction using flag persons and barricades. (District I, VI) - \$206,220
- b.) Lateral 73, Main 5, Sanitary Sewer #23 to serve Iron Horse at Oxford - south of 29th Street North, west of Woodlawn. (468-83575/743980/480668) Does not affect existing traffic. (District I) - \$196,000
- c.) 2003 Contract maintenance area concrete street repairs Phase 1 - north of Pawnee, east of McLean. (472-83729/132714/) Traffic to be maintained during construction using flagpersons and barricades. (Districts II, III) - \$314,000

(Item 13 continued)

- d) 2003 Contract maintenance asphalt street repairs and quickset slurry seal - Phase 1 - north of 55th Street South, east of Seneca. (472-83734/131532/) Traffic to be maintained during construction using flagpersons and barricades. (Districts I, II, III) - \$398,350
- e) 2003 Contract maintenance ultrathin asphalt overlay - north of 47th Street South, east of Maize Road. (472-83733/132714/) Traffic to be maintained during construction using flagpersons and barricades. (Districts I, II, III, IV, V, VI) - \$876,600
- f) 2003 sanitary sewer rehabilitation, Phase A various locations - north of Pawnee, east of I-235. (468-83599/620367/663488) Traffic to be maintained during construction using flagpersons and barricades.. (Districts I, III, VI) - \$255,000
- g) 2003 sanitary sewer reconstruction, Phase 3 Various Locations - east of I-235, north of Kellogg. (468-83601/620368/663489) Traffic to be maintained during construction using flagpersons and barricades.. (District I, VI) - \$255,000
- h) Water distribution system to serve Copper Gate Estates - south of 13th Street North, west of 135th Street West. (448-89755/735104/470774) Does not affect existing traffic. (District V) - \$130,000
- i) Water distribution system to serve Liberty Park – south of 13th Street North, west of 135th Street West. (448-89747/735103/470773) Does not affect existing traffic. (District V) - \$112,000
- j) Water distribution system to serve Iron Horse at Oxford - south of 29th Street North, west of Woodlawn. (448-89784/735120/470790) Does not affect existing traffic. (District I) - \$100,000
- k) Lateral 342 Four Mile Creek Sewer to serve Whispering Lakes Estates - south of Harry, east of 143rd Street East. (468-83538/743960/480648) Does not affect existing traffic. (District II) - \$313,000
- l) Lateral 343 Four Mile Creek Sewer to serve Sierra Hills Addition - north of Pawnee, east of 127th Street East. (468-83538/743977/480665) Does not affect existing traffic. (District II) - \$425,000
- m) Lateral 3, Main 13, Sanitary Sewer 23 to serve Wichita Heights High School - south of 53rd Street North, west of Hillside. (468-83535/743964/480652) Does not affect existing traffic. (District I) - \$230,050

RECOMMENDED ACTION: Approve and file.

14. Petition for Public Improvement - Water Distribution System to Serve Sierra Hills Addition – east of 127th Street East, north of Pawnee. (District II)

RECOMMENDED ACTION: Approve Petition; adopt Resolution.

15. Consideration of Street Closures/Uses.

RECOMMENDED ACTION: Approve street closures/uses.

16. Report on Claims Allowed – March, 2003:

<u>Name of Claimant</u>	<u>Amount</u>
Avitia, Leticia Ortega-Martin	\$228.50
DuBois, Craig	\$2,768.82
East Central Veterinary Hospital (Thomas Williams)	\$167.00**
Horvath, Jay G.	\$318.90
Koehn, Kendel	\$250.20
Lamb, Gladwin	\$252.15
Van Gieson, Darren (c/o American Family Insurance)	\$3,541.58

** Settled for lesser amount than claimed.

RECOMMENDED ACTION: Receive and file.

17. Agreements/Contracts:

- a) Construction engineering and staking for Tara Falls Addition – south of Harry, east of Greenwich. (District I)
- b) Easement encroachment – Rounds Estates Addition. (District II)

RECOMMENDED ACTION: Approve Agreements/Contracts; authorize necessary signatures.

18. Design Services Agreements:

- a) Remington Place Second Addition – south of 21st, east of Webb. (District II)
- b) Ironhorse at Oxford Addition – west of Woodlawn, south of 29th Street North. (District I)

RECOMMENDED ACTION: Approve Agreements/Contracts; authorize necessary signatures.

19. FY2003 Weed and Seed Program.

RECOMMENDED ACTION: Approve the Agreement and budget; authorize the necessary signatures.

20. Kansas Community Service Program Act Applications.

RECOMMENDED ACTION: Support the applications; authorize the necessary signatures.

21. Water Mains Installation.

RECOMMENDED ACTION: Approve the projects; adopt the Resolutions.

22. Payment of Judgment.

RECOMMENDED ACTION: Authorize payment.

23. Second Reading Ordinance: (First read April 8,2003)

ZON2002-00064/CUP2002-00053 – north of 32nd Street North, west of Rushwood. (District I)

RECOMMENDED ACTION: Adopt Ordinance.

PLANNING AGENDA

NOTICE: Public hearing on planning items is conducted by the MAPC under provisions of State law. Adopted policy is that additional hearing on zoning applications will not be conducted by the City Council unless a statement alleging (1) unfair hearing before the MAPC, or (2) alleging new facts or evidence has been filed with the City Clerk by 5p.m. on the Wednesday preceding this meeting. The Council will determine from the written statement whether to return the matter to the MAPC for rehearing.

* Consent Items

*24. DED2003-09 – Dedication of Access Control for Property Located North of Central, West of Madison.
(District I)

RECOMMENDED ACTION: Accept the Dedication.

*25. SUB2002-68 – Plat of Prairie Crossing Addition – South Side of Central, West of 151st Street West. (County)

RECOMMENDED ACTION: Approve the documents and Plat; authorize the necessary signatures.

*26. SUB2003-03 – Plat of Chapel Hill Second Addition – North Side of 13th Street North, East of Greenwich Road.
(District II)

RECOMMENDED ACTION: Approve the documents and Plat; authorize the necessary signatures; adopt the Resolutions; approve first reading of ZON2002-49 and ZON2002-50 Ordinances.

*27. SUB2003-11 – Plat of Kansas Food Bank Warehouse Addition – South Side of Douglas, East of Hydraulic.
(District I)

RECOMMENDED ACTION: Approve the documents and Plat; authorize the necessary signatures; adopt the Resolutions; approve first reading of ZON2003-06 Ordinance.

*28. VAC2002-00003 – Vacate Portion of Drainage Easement Dedicated by Separate Instrument – Northwest of the 29th Street/Ridge Road Intersection. (District V)

RECOMMENDED ACTION: Approve the Vacation Order; authorize the necessary signatures.

29. CON2003-00004 – Conditional Use for Accessory Apartment on Property Zoned Single-Family Residential – Southeast of Mt. Vernon and Oliver. (District III)

MAPC Recommendation: Approve, subject to conditions (11-0)
Staff Recommendation: Deny
DAB Recommendation: Approve, subject to conditions (4-3)

RECOMMENDED ACTION: Approve, subject to conditions, and adopt the Resolution; OR

Return the application to the MAPC for reconsideration.

- *30. ZON2000-45 – Extension of Time to Complete Platting Requirement for Zone Change Request from Single-Family Residential to Limited Commercial – South of Central, West of Tyler. (District V)

RECOMMENDED ACTION: Approve a one-year extension to May 14, 2004.

31. ZON2002-00074 – Zone Change from Limited Industrial to Single-Family Residential and Neighborhood Office – South of 29th Street North, East of Ridge Road. (District V)

MAPC Recommendation: Approve (10-3) subject to platting and a Protective Overlay.
Staff Recommendation: Approve subject to platting and a Protective Overlay.
DAB Recommendation: Deny (7-0) on March 3, 2003, to be reconsidered on April 7, 2003. (Minutes will be distributed to Council upon completion.)

RECOMMENDED ACTION: Approve the zone change, subject to provision of a Protective Overlay District and the condition of Platting within one-year; Ordinance to be forwarded when the Plat is forwarded to Council for approval; OR

Return the application to the MAPC for reconsideration.

- *32. ZON2003-00007 – Zone Change from Neighborhood Office with Protective Overlay No. 101 to Single-Family Residential – Southwest of Douglas/Ridge Road Intersection. (District V)

RECOMMENDED ACTION: Approve the zone change and first reading of the Ordinance.

- *33. Annexation Request For Land North Of 29th North, West Of Tyler Road, East Of Maize Road, South Of 29th Street North. (District V)

RECOMMENDED ACTION: Approve the Declaration of Emergency and the Annexation; authorize the necessary signatures; and approve first reading of the Ordinance.

(Addendum)

34. Annexation Request For Land North and South of 29th Street North, West of North Maize Road, including portions of 29th Street North. (District V)

RECOMMENDED ACTION: Approve the Declaration of Emergency and the Annexation authorize the necessary signatures; and approve first reading of the Ordinance.

Adjournment
